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Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

April 21, 2010

Certified Return Receipt Requested
7003 2260 0002 0247 9468

Brett Bryson
Wasatch Mountain Excavating, Inc.
905 North Main ST STE C3
North Salt Lake City, Utah 84054

Subject: Division Directive, Reclamation Surety Change Requirements for Certificate of Deposit through Barnes Bank, Wasatch Mountain Excavating, Inc. Elite Rock West Mine, S/049/0050, Utah County, Utah

Dear Mr. Bryson:

As you are aware, Barnes Banking Company was closed on January 15, 2010, by the Utah Department of Financial Institutions, which appointed the Federal Deposit Insurance Corporation (FDIC) as receiver. The reclamation surety you provided is in the form of two certificates of deposit with Barnes Bank, and the Division has confirmed that the money is still in the accounts. With the FDIC taking receivership, however, the certificates of deposit need to be transferred to another bank.

Please open an account (you do not need to provide the funds for the account) with another bank (both CD's may be put in the same account). Once this is done, provide the Division with the bank name, address, phone number, contact, and the account number. The Division can then have the FDIC wire the funds directly to the new bank, thus providing the Division with an acceptable reclamation surety for your mining operation.

We will need to have you and a responsible person with the new bank sign a letter stating the money in the new certificate of deposit will not be released without the Division's approval. The Division will provide this letter.

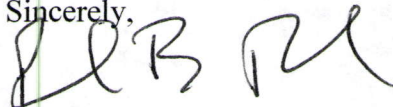
Please provide the bank contact and account information to the Division by May 10, 2010.



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Wasatch Mountain Excavating, Inc.
S/049/0050
April 21, 2010

Should you have any questions regarding this letter, please contact me at (801) 538-5261. If you need assistance with CD forms or letters for your new bank, please contact Penny Berry and (801) 538-5291 or by e-mail at bondcoordinator@utah.gov. Thank you in advance for your cooperation in resolving this issue.

Sincerely,

A handwritten signature in black ink, appearing to read 'PBB' followed by a stylized flourish.

Paul B. Baker,
Minerals Program Manager

PBB:lk:pb

cc: Penny Berry, DOGM

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